

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David Cataldi, on behalf of the Estate of,
Morris Cataldi,

Civil No. 11-1738 (RHK/JSM)

Plaintiff,

**DISQUALIFICATION AND
ORDER FOR REASSIGNMENT**

vs.

SmithKline Beecham Corporation,
d/b/a GlaxoSmithKline,

Defendant.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

IT IS HEREBY ORDERED, that pursuant to this Court's Assignment of Cases Order dated December 19, 2008, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

IT IS FURTHER ORDERED, that a copy of this Order shall be filed in the above-captioned case.

Dated: June 30, 2011

s/Richard H. Kyle

RICHARD H. KYLE
United States District Judge